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1           **(23)** Stands suitable for the transition method contain  
2 adequate quantity and quality of seed producing trees to provide  
3 ~~maximum~~ adequate regeneration for new age classes. ~~Stands suitable~~  
4 ~~for this method have no more than 25 sq. ft. of basal area greater~~  
5 ~~than the selection basal area standards.~~ Stands suitable for this  
6 method shall have no more than 50 sq. ft. of basal area greater than  
7 the selection basal area standards. ~~Area for determination of~~  
8 ~~preharvest stocking levels shall be no greater than 20 acres in size~~  
9 ~~if such a breakdown will change the stocking levels of individual~~  
10 ~~areas.~~

11           **(34)** Trees to be harvested or trees to be retained shall  
12 be marked by or under the supervision of an ~~RPF~~ before felling  
13 operations. A sample area must be marked before the preharvest  
14 inspection for evaluation. The sample area shall include at least  
15 10% of the harvest area up to a maximum of 20 acres per stand type  
16 which is representative of the range of conditions present.

17           **(45)** Immediately following the completion of timber  
18 operations ~~on the first use of this method~~, the minimum basal area  
19 standards in 14 CCR § 912.7(b)(2), [932.7(b)(2), 952.7(b)(2)] shall  
20 be met.

21           **(56)[Coast only]** ~~Unless the plan submitter demonstrates~~  
22 ~~how the proposed harvest will achieve MSP pursuant to 14 CCR §~~  
23 ~~913.11, [933.11, 953.11] (a) or (b),~~ The post-harvest residual  
24 stand shall contain at least 15 square feet of basal area per acre  
25 of seed trees at least 12 inches dbh or greater for timber sites I,

1 II or III; or 12 square feet of basal area per acre of seed trees  
2 12 inches dbh or greater for timber sites IV or V., except for  
3 timber sites I with Coast Redwood. For timber sites I with Coast  
4 Redwood, the post-harvest residual stand shall contain sufficient  
5 seed trees to meet at least the basal area, size and phenotypic  
6 quality of the leave tree requirements specified under the seed  
7 tree method (14 CCR § 913.1(c)(1)(A)). Unless obviously stocked,  
8 these basal area requirements will be determined from sampling  
9 averaged across each harvested area required in 14 CCR §  
10 913.2(b)(1). Unless the plan submitter demonstrates how the  
11 proposed harvest will achieve MSP pursuant to 14 CCR § 913.11(a) or  
12 (b), where present in the preharvest stand, disease free, undamaged  
13 seed trees 18 inches dbh or greater shall be retained post harvest  
14 until the stand exceeds the minimum seed tree requirements of 14  
15 CCR § 913.1(c)(1)(A). The seed trees shall be full crown, capable  
16 of seed production and representative of the best phenotypes  
17 available in the pre-harvest stand.

18 ~~(56)[Northern and Southern] Unless the plan submitter~~  
19 ~~demonstrates how the proposed harvest will achieve MSP pursuant to~~  
20 ~~14 CCR § 913.11, [933.11, 953.11] (a) or (b), the residual stand~~  
21 ~~shall contain sufficient trees to meet at least the basal area,~~  
22 ~~size, and phenotypic quality of the leave tree requirement~~  
23 ~~specified under the seed tree method. The post harvested residual~~  
24 ~~stand shall contain at least 15 square feet of basal area per acre~~  
25 ~~of seed trees at least 12 inches dbh or greater for timber sites I,~~

II or III; or 12 square feet of basal area per acre of seed trees  
12 inches dbh or greater for timber sites IV or V. Unless obviously  
stocked, these basal area requirements will be determined from  
sampling averaged across each harvested area required in 14 CCR §  
933.2(b)(1)[953.2(b)(1)]. Unless the plan submitter demonstrates  
how the proposed harvest will achieve MSP pursuant to 14 CCR §  
933.11(a) or (b)[953.11(a) or (b)], where present in the preharvest  
stand, disease free, undamaged seed trees 18 inches dbh or greater  
shall be retained post harvest until the stand exceeds the minimum  
seed tree requirements of 14 CCR § 933.1(c)(1)(A)[953.1(c)(1)(A)].  
The seed trees shall be full crown, capable of seed production and  
representative of the best phenotypes available in the present  
stand.

(67) Following completion of timber operations  
(including site preparation) not more than 20 percent of the THP  
Plan area harvested by this method shall be covered occupied by  
small group clearings.

~~(7) No sooner than ten years following completion of the  
first entry with this method a second harvest using this method may  
be conducted.~~

~~(A) The standards of (1), (2), (3), (4), (5), (6) and (7)  
above shall apply to the second entry.~~

(B8) The THP Plan sSubmitter must provide the Director  
sufficient information such as growth and stand description to  
demonstrate that the standards of the selection regeneration method

will be met ~~for~~ by the third and subsequent entries of Plan areas  
harvested by the transition method ~~selection harvests.~~

Authority cited: Sections 4551 and 4561, Public Resources Code.  
Reference: Sections 4561, ~~and 4582(h)~~, and 4587, Public Resources  
Code.

**Amend 14 CCR § 913.11, 933.11, 953.11 Maximum Sustained Production  
of High Quality Timber Products**

The goal of this section is to achieve Maximum Sustained Production  
of High Quality Timber Products (MSP). MSP is achieved by meeting  
the requirements of either (a) or (b) or (c) in a THP, SYP or NTMP,  
or as otherwise provided in Article 6.8, Subchapter 7.

(a) Where a Sustained Yield Plan (14 CCR § 1091.1) or  
Nonindustrial Timber Management Plan (NTMP) has not been approved  
for an ownership, MSP will be achieved by:

(1) Producing the yield of timber products specified by  
the landowner, taking into account biologic and economic factors,  
while accounting for limits on productivity due to constraints  
imposed from consideration of other forest values, including but  
not limited to, recreation, watershed, wildlife, range and forage,  
fisheries, regional economic vitality, employment and aesthetic  
enjoyment.

(2) Balancing growth and harvest over time, as explained  
in the THP for an ownership, within an assessment area set by the  
timber owner or timberland owner and agreed to by the Director. For  
purposes of this subsection the sufficiency of information  
necessary to demonstrate the balance of growth and harvest over  
time for the assessment area shall be guided by the principles of  
practicality and reasonableness in light of the size of the  
ownership and the time since adoption of this section using the  
best information available. The projected inventory resulting from  
harvesting over time shall be capable of sustaining the average  
annual yield achieved during the last decade of the planning  
horizon. The average annual projected yield over any rolling 10-  
year period, or over appropriately longer time periods for  
ownerships which project harvesting at intervals less frequently  
than once every ten years, shall not exceed the projected long-term  
sustained yield.

1 (3) Realizing growth potential as measured by adequate  
2 site occupancy by species to be managed and maintained given  
3 silvicultural methods selected by the landowner.

4 (4) Maintaining good stand vigor.

5 (5) Making provisions for adequate regeneration. At the  
6 plan submitter's option, a THP may demonstrate achievement of MSP  
7 pursuant to the criteria established in (b) where an SYP has been  
8 submitted but not approved.

9 (b) Where a SYP or NTMP is submitted for an ownership, an  
10 approved SYP or NTMP achieves MSP by providing sustainable harvest  
11 yields established by the landowner which will support the  
12 production level of those high quality timber products the  
13 landowner selects while at the same time:

14 (1) meeting minimal stocking and basal area standards for  
15 the selected silvicultural methods as provided in these rules as  
16 described;

17 (2) protecting the soil, air, fish and wildlife, water  
18 resources and any other public trust resources;

19 (3) giving consideration to recreation, range and forage,  
20 regional economic vitality, employment and aesthetic enjoyment;

21 (4) balancing growth and harvest over time. The projected  
22 inventory resulting from harvesting over time shall be capable of  
23 sustaining the average annual yield achieved during the last decade  
24 of the planning horizon. The average annual projected yield over  
25 any rolling 10-year period, or over appropriately longer time  
periods for ownerships which project harvesting at intervals less  
frequently than once every ten years, shall not exceed the  
projected long-term sustained yield. A THP which relies upon and is  
found to be consistent with an approved SYP shall be deemed  
adequate to achieve MSP.

(c) In a THP, or NTMP, MSP is achieved by:

(1) For evenaged management, meeting the minimum stand  
age standards of 14 CCR § 913.1(a)(1)[933.1(a)(1), 953.1(a)(1)],  
meeting minimum stocking and basal area standards for the selected  
silvicultural methods as contained in these rules only with group A  
species, and protecting the soil, air, fish and wildlife, water  
resources and other public trust resources through the application  
of these rules; or

(2) For unevenaged management, complying with the seed  
tree retention standards pursuant to 14 CCR §§ 913.1(c)(1)(A)  
[933.1(c)(1)(A), 953.1(c)(1)(A)] or 913.2(b)(6) [933.2(b)(6),

1 953.2(b)(6)], meeting minimum stocking and basal area standards for  
2 the selected silvicultural methods as contained in these rules only  
3 with group A species, and protecting the soil, air, fish and  
4 wildlife, water resources and other public trust resources through  
5 the application of these rules.

6 (3) For intermediate treatments and special  
7 prescriptions, complying with the stocking requirements of the  
8 individual treatment or prescription.

9 (4) Timberland ownerships totaling 50,000 acres or less  
10 may use subsection (c) to show MSP.

11 (5) Timberland ownerships of 50,000 acres or more may use  
12 subsection (c) through December 31, 1999. Thereafter they may use  
13 subsection (c) if an SYP or demonstration of achievement of MSP  
14 pursuant to 14 CCR § 913.11(a) [933.11(a), 953.11(a)] has been  
15 filed with the department and has not been returned unfiled or  
16 approved.

17 (6) For scattered parcels on timberland ownerships of  
18 50,000 acres or more, subsection (c) may be used to show MSP.

19 Authority cited: Sections 4551 and 4554.5, Public Resources Code.  
20 Reference: Sections 4513, 4551.5, 4561 and 21080.5, Public  
21 Resources Code.

22 Transition 45 day pleading 11\_14\_05.doc  
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